

LOCAL AGENCY GUIDELINES (LAG MANUAL)

TABLE OF CONTENTS

SECTION A – Introduction

Chapter	Subject	Page No.
1.	LOCAL AGENCY GUIDELINES	1-1
	A. Overview	1-1
	1. What is the federal-aid highway program?	1-1
	2. Who can receive funding through the federal-aid highway program?	1-1
	3. How can local agencies utilize this funding?	1-1
	4. What is ODOT's certification program?	1-1
	a. Certification Program – Vision	1-2
	b. Certification Program – Mission	1-2
	B. Purpose of the Manual	1-2
	C. Organization of the Manual	1-2
	1. Introductory Overview – Section A	1-2
	2. Non-Certified Local Agency – Section B	1-3
	3. Certified Local Agency – Section C	1-3
	D. Updating Process	1-5
	E. Organizational Charts	1-5
2.	ROLES AND RESPONSIBILITIES	2-1
	A. Overview	2-1
	B. FHWA Responsibilities	2-1
	1. Projection Implementation	2-2
	2. Oversight	2-2
	C. ODOT Responsibilities	2-3
	1. Policy and Procedures	2-3
	2. Program Management	2-3
	3. Project Implementation	2-4
	D. Local Agency Responsibilities	2-5
	1. Project Implementation	2-5
	E. Approval Authority	2-5
	F. Oregon Transportation Commission	2-5
	G. Summary	2-6
2A.	APPENDIX: APPROVAL AUTHORITY MATRIX	2.1-1
3.	FHWA FUNDING PROGRAMS	3-1
	A. Overview	3-1

B. Federal Funding for Local Agencies – Legislation	3-1
1. Past Legislation	3-1
2. Current Legislation	3-1
C. Federal Funding for Local Agencies – Eligible Roadways	3-1
1. The National Highway System (NHS)	3-2
D. Funding Programs for Local Agencies	3-2
1. Federal Funding Programs	3-2
2. State Funding Programs	3-3
E. General Planning Requirements and Area Coordination	3-3
F. Coordination with Planning Agencies	3-3
1. Statewide Transportation Improvement Programs (STIP)	3-4
a. Federal Requirements	3-4
b. Oregon	3-4
2. Transportation Management Areas (TMAS)	3-5
3. Metropolitan Planning Organizations (MPOS)	3-5
4. TMAS and MPOS	3-5
G. State-Level Transportation Plans	3-6
1. Metropolitan Area Transportation Plans	3-6
a. Regional Transportation Plan (RTP)	3-6
b. Metropolitan Transportation Improvement Program (MTIP)	3-6
H. Planning Requirements	3-7
I. Local Area Transportation Plans	3-8
1. Non-Metropolitan Area Transportation Plans	3-8
a. Highway Corridor and Refinement Plans	3-8
b. Transportation System Plans	3-8
J. Locating Oregon’s State-Level Plans	3-9
K. Federal Funding Programs in Oregon	3-9
1. Surface Transportation Program (STP)	3-10
2. Transportation Enhancement (TE) Program	3-13
3. Railway/Highway Grade Crossing Program	3-14
4. Highway Safety Improvement Program (HSIP)	3-16
5. High Risk Rural Roads (HR3)	3-18
6. Highway Bridge Program (HBP)	3-21
7. Congestion Mitigation and Air Quality Program (CMAQ)	3-25
8. Emergency Relief (ER) Program	3-31
9. High Priority (HP)/Transportation Improvements (TI)	3-36
10. Construction of the Boats and Ferry Terminal Facilities Program	3-38
11. Federal Lands Highway Programs (FLHP)	3-39
12. National Historic Covered Bridge Preservation	3-41
13. National Scenic Byways Program	3-42
14. Recreational Trails Program	3-45
15. Safe Routes to School Program (SRTS)	3-47
L. Related State Program	3-49
1. Bicycle and Pedestrian Program	3-49
M. Fund Exchange	3-51

4.	DEVELOPING PROJECTS USING THE LAG MANUAL	4-1
	A. Overview	4-1
	B. Project Development Process	4-1
	1. Phases of Authorization	4-1
	2. Phase Requirements When Utilizing FHWA Funds	4-2
	a. Planning	4-2
	b. Preliminary Engineering Phase	4-2
	c. Right of Way Phase – FHWA Funds in the Right of Way Phase	4-2
	d. Construction Phase – FHWA Funds in the Construction Phase	4-3
	3. Documentation Requirements When Utilizing FHWA Funds	4-4
	a. Documentation Required for Authorization of Funds	4-4
	1. Planning with STP Funds	4-5
	2. Preliminary Engineering Funds	4-5
	3. Right of Way Funds	4-5
	4. Construction Funds	4-6
	4. Construction Contract Administration	4-6
	5. Reviews and Approvals	4-6
	C. Guidelines and Standards	4-6
	D. Use of Interstate Rights of Way	4-7
	1. Agreement Required	4-7
	E. Project Selection and Development Work Plan Checklist	4-8
5.	LOCAL AGENCY FORCE PROJECTS	5-1
	A. Overview	5-1
	B. Plans Specifications and Estimates Requirements	5-1
	C. Fund Authorization	5-2
	D. Contract Number	5-2
	E. Construction Contract Administration	5-2
	1. Overview	5-2
	2. Quality Control	5-2
	3. Progress Billings	5-2
	4. Changes and Extra Work	5-2
	5. Completion of Construction	5-2
	a. Final Inspection	5-3
	b. Final Reports	5-3
	F. Project by Certified Local Agency for Another Local Agency	5-4
6.	ACCESS MANAGEMENT	6-1
	A. Overview	6-1
	B. Access Management Goals and Principles	6-1
	1. Provide a Specialized Roadway System	6-2
	2. Limit Direct Access to Major Roadways	6-2
	3. Promote Intersection Hierarchy	6-2
	4. Locate Signals to Favor Through Movements	6-2
	5. Preserve the Functional Area of Intersections and Interchanges	6-3

6. Limit the number of Conflict Points	6-3
7. Separate Conflict Areas	6-3
8. Remove Turning Vehicles from Through Traffic Lanes	6-3
9. Use Non-Traversable Medians to Manage Left-Turn Movements	6-3
10. Provide a supporting Street and Circulation System	6-3
C. Benefits of Access Management	6-4
D. Access Management, Transportation and Land Use Planning	6-5
E. Access Management and Local Agency Project Delivery	6-8
1. Local Agency Projects on the Local System	6-8
2. Local Agency Projects that Impact the State System	6-8
3. Local Agency Projects on the State System	6-9
4. Local Agency Projects on the National Highway System	6-9
F. Additional Resources	6-10
7. TITLE VI PROGRAM	7-1
A. Background	7-1
B. Overview	7-2
C. Title VI Program Plan	7-3
D. Title VI Plan Development	7-3
1. Technical Support	7-3
2. Program Plan Scope	7-3
3. Program Plan Format	7-3
4. Nondiscrimination Agreement	7-3
5. Key Points in Developing a Title VI Program Plan	7-4
E. Reporting Requirements	7-5
1. Annual Title VI Accomplishments Report	7-5
2. Revisions to the Local Agency’s Title VI Program Plan or Nondiscrimination Agreement	7-5
F. Title VI Complaint Investigation	7-6
G. Title VI Compliance Reviews	7-7
1. Compliance Review	7-7
2. Local Agency Found in Compliance	7-7
3. Local Agency Found in Non-Compliance	7-7
H. Other Nondiscrimination Statutes Related to Title VI	7-7
1. Limited English Proficiency (LEP)	7-7
2. Environmental Justice	7-8

SECTION B – Non-Certified Local Agency

Chapter	Subject	Page No.
1.	INTRODUCTION	1-1
	A. Overview	1-1
	B. Contracting With ODOT	1-1
	1. ODOT – Regional Local Agency Liaisons	1-1

2. ODOT – Local Government Section	1-1
C. Contracting With a Certified Local Agency	1-1
D. Additional Information	1-2
2. PROJECT PROSPECTUS	2-1
A. Overview	2-1
B. Procedure for Computing the Project Application Package	2-1
C. Additional Resources and Information	2-2
3. AGREEMENTS	3-1
A. Overview	3-1
B. Non-Certified Agency Master Agreement	3-2
C. Non-Certified Supplemental Project Agreements	3-2
D. Amended Supplemental Project Agreement	3-3
E. Stand Alone Project Agreement	3-4
F. Processing Agreements with Non-Certified Local Agencies	3-4
4. PROGRESS BILLING (REIMBURSEMENT COSTS)	4-1
A. Overview	4-1
B. Billing Procedures for Non-Certified Agencies	4-1
C. Number and Timing of Submittals	4-2
D. Identifying Federal-Aid Participating and Nonparticipating Charges	4-2
1. Participating Costs Criteria	4-2
2. Nonparticipating Costs Criteria	4-3
3. Participating Functions	4-4
a. Preliminary Engineering	4-4
b. Acquisition of Right of Way	4-4
c. Construction Engineering	4-5
d. Administrative Settlement Costs – Contract Claims	4-5
e. Miscellaneous Functions	4-6
f. Construction Costs for Other than Contractor Payments	4-6
4. Standards for Selected Items of Cost	4-6
a. Salaries and Wages	4-6
b. Travel and Transportation	4-6
c. Employee Leave and Holidays	4-7
d. Social Security, Retirement and Other Payroll Benefits	4-7
E. Utility Relocations, Adjustments and Reimbursement	4-7
F. Reimbursement for Railroad Work	4-7
G. Other Allowable Costs Subject to FHWA’s Approval	4-7
H. Other Unallowable Costs	4-8
1. Bad debts	4-8
2. Contingencies	4-8
3. Contributions and Donations	4-8
4. Entertainment	4-8
5. Fines and Penalties	4-8

6. Governor's Expenses	4-8
7. Interest and Other Financial Costs	4-8
8. Legislative Expenses	4-8
9. Under-recovery of Costs under Grant Agreements	4-9
I. Federal-Aid Reimbursement Process	4-9
5. ENVIRONMENTAL PROCESS	5-1
A. Overview	5-1
1. Application Regulations, Laws and Guidance	5-1
2. Guidelines and Manuals	5-2
B. National Environmental Policy Act Compliance	5-2
1. National Environmental Policy Act Classifications	5-3
a. Class I – Environmental Impact Statement (EIS)	5-3
b. Class II – Categorical Exclusion	5-4
c. Class III – Environmental Assessment	5-5
2. Project Procedures Based on NEPA Classification	5-5
3. Project Re-Evaluation	5-5
C. Section 4(f) Compliance	5-6
D. Biological Resources	5-7
1. Federal Endangered Species Act Compliance	5-7
2. Magnuson-Stevens Act Compliance	5-8
3. Migratory Bird Treaty Act Compliance	5-8
4. Bald and Golden Eagle Protection Act Compliance	5-8
5. State Endangered Species Act (SB 533) Compliance	5-9
6. Oregon State Fish Passage Statute Compliance	5-9
E. Water Quality	5-10
F. Wetlands and Waterways	5-11
G. Erosion Control	5-11
H. Section 106 of the National Historic Preservation Act	5-12
1. Archaeological Resources	5-12
2. Historical Resources	5-13
I. Air Quality	5-13
J. Noise	5-14
K. Hazardous Materials	5-15
L. “Other” Environmental Considerations	5-16
M. Environmental Commitment Tracking	5-16
N. Additional Resources and References	5-17
6. RIGHT OF WAY PROCEDURES	6-1
A. Overview	6-1
B. Key Right of Way Requirements	6-2
1. ODOT Services	6-2
2. Consultant Services	6-3
3. Another Local Agency	6-3
C. Right of Way Acquisition Procedures	6-3
1. Acquiring Right of Way	6-3

2. No Right of Way Acquisition	6-3
D. Voluntary Right of Way Acquisition	6-4
E. Funds for Right of Way Acquisition	6-4
1. Acquisition with Federal Funds	6-4
2. Acquisition with Local Agency Funds	6-5
3. Acquisition in Advance of NEPA Clearance	6-6
F. Appraisal	6-7
1. Appraisal Waiver Valuation	6-8
2. Appraisal Review/Establishing Just Compensation	6-8
G. Title	6-10
H. Negotiations	6-11
I. Donated Property	6-13
J. Administrative Settlements	6-14
K. Relocation	6-15
L. Condemnation	6-15
M. Right of Way Certification	6-16
N. Property Management	6-17
O. Document Retention	6-19
7. CIVIL RIGHTS AND DISADVANTAGED BUSINESS ENTERPRISES	7-1
A. Overview	7-1
B. Definitions	7-2
C. Roles and Responsibilities	7-2
1. FHWA	7-2
2. ODOT's Office of Civil Rights	7-3
3. Local Agencies	7-3
D. Program Elements of DBE Plans	7-4
1. Policy Statement	7-4
2. DBE Liaison Officer	7-4
3. Provision to Ensure Participation	7-4
4. DBE Directory	7-4
5. Provisions to Ascertain Eligibility of DBEs and Challenge Procedures	7-4
6. Provisions to Meet and Enforce Established DBE Goals	7-5
7. Bidders Must Comply with Established DBE Goals or Satisfy the Local Agency that the Bidder Made Good Faith Effort to Meet the Goal	7-5
8. Counting DBE Participation Toward Meeting Goals	7-6
9. Maintenance of Records and Reports	7-6
E. Contract Administration	7-7
1. General	7-7
2. Monitoring Compliance of DBEs During Construction	7-8
3. Contract Completion	7-8
F. Information	7-9

7A.	APPENDIX 1: CIVIL RIGHTS-TRACKING LOCAL AGENCY PROJECTS	7.1-1
	A. Overview	7.1-1
	B. Process	7.1-1
	1. Key Number	7.1-1
	2. Project Name	7.1-1
	3. 90 Percent Plans, Specifications and Estimates	7.1-1
	4. DBE, OJT, MWESB Goals/Aspiration Target Set Dates	7.1-1
	5. Office of Civil Rights Goal Sheet Sent Date	7.1-2
	6. Advertised Bid Book Received Date	7.1-2
	7. Advertised Bid Book Verified Date	7.1-2
	8. Advertised Bid Date	7.1-2
	9. Actual Bid Date	7.1-2
	10. DBE Bid Information Received Date	7.1-2
	11. Bid Evaluation Sent Date	7.1-2
	12. Subcontractor/Supplier Solicitation and Utilization Form Received Date	7.1-3
	13. Award Letter Received Date	7.1-3
	14. Pre-Construction Packet Sent Date	7.1-3
	15. Contractor Declares Voluntary Participation	7.1-3
	16. Civil Rights Specialist Receives Work Plan Proposal Form 3A (as Applicable)	7.1-3
	17. Receipt of Subcontractor Agreements	7.1-3
	18. Commercial Useful Function Review	7.1-4
	19. Project Inspectors	7.1-4
7B.	APPENDIX 2: PROJECT TRACKING LOG	7.2-1
8.	EQUAL EMPLOYMENT OPPORTUNITY AND TRAINING	8-1
	A. Overview and General Requirements	8-1
	B. EEO Requirements	8-2
	C. OJT/Apprenticeship	8-3
	D. Construction Contract Administration	8-3
	1. General Discussion	8-3
	2. EEO Reports	8-4
	3. OJT/Apprenticeship Reports	8-4
	E. Compliance Review	8-5
	1. Local Agency	8-5
	2. ODOT's Office of Civil Rights	8-5
	F. Forms	8-5
9.	GENERAL DESIGN REQUIREMENTS	9-1
	A. Overview	9-1
	B. Pavements	9-2
	C. Value Engineering	9-2
	D. New Construction/Reconstruction Projects (4-R)	9-2

1. Roadside Inventory	9-3
2. Pavement Type Determination	9-3
3. Structural Design	9-3
4. Roadway Geometrics	9-3
5. Construction Specifications	9-3
6. Traffic Control	9-3
7. Clear Zone	9-3
8. Geometric Cross-Sections	9-4
9. Vertical Clearance	9-4
10. Bridge Approach Railings	9-4
11. Bridge Railing	9-4
12. Illumination	9-4
13. Pedestrian Facilities	9-4
14. Bicycle Facilities	9-4
15. Sidewalks and Ramps	9-5
16. Drainage and Hydraulic Design	9-5
E. Resurfacing, Restoration and Rehabilitation (3-R) Projects	9-5
1. Roadside Inventory	9-5
2. Super Elevation	9-5
3. Pavement	9-5
4. Geometric Cross-Section	9-6
5. Alignment	9-6
6. Curvature	9-6
7. Grades	9-6
8. Clear Zone	9-6
F. Geometric Design of Very Low-Volume Local Roads (ADT < 400)	9-6
G. Deviations/Design Exception Process	9-7
10. DESIGN APPROVAL	10-1
A. Overview	10-1
B. Requirements for Design Approval	10-2
1. Traffic Data	10-2
2. Right of Way	10-2
3. Horizontal-Vertical Alignment	10-2
4. Roadway Section	10-2
5. Base Design	10-2
6. Cost Estimate	10-2
7. Environmental Considerations	10-2
8. Public Involvement	10-3
9. Permits	10-3
C. Bridge Design Approval	10-3
1. Policy	10-3
2. Submittal of Data	10-3
3. Bridges on State Right of Way	10-4
D. Value Engineering	10-4
1. Overview	10-4

2. Authority for Value Engineering	10-4
3. Why Value Engineering is Needed	10-4
4. Value Engineering Application (General)	10-4
5. Value Engineering Coordinator	10-5
E. Additional Data Required for Special Projects	10-5
1. Traffic Signal Projects	10-5
2. Projects Involving the State Highway System	10-5
3. Special Research or Use of Experimental Features	10-5
F. Design Approval	10-6
11. PLANS, SPECIFICATIONS AND ESTIMATES (PS&E)	11-1
A. Overview	11-1
B. Key PS&E Process Points	11-2
1. Civil Rights Compliance	11-2
2. Wage Rates	11-2
3. Quality Control	11-2
4. Other Requirements	11-3
a. FHWA Form 1273	11-3
b. Affirmative Action	11-3
c. DBE	11-4
d. “Buy-America” Requirements	11-4
e. Traffic Control Plans	11-4
f. Sole Source Justification	11-4
g. Patented and Proprietary Items	11-4
h. Local Agency Supplied Materials	11-5
i. Warranty/Guarantee	11-5
C. Documents Requiring Professional Stamps	11-5
D. Contract Plans	11-5
E. Specifications	11-5
1. Standard Specifications	11-5
2. Supplemental Oregon Standard Specifications for Construction	11-5
3. Special Provisions	11-6
F. Estimates	11-6
G. Additional Resources	11-6
12. TWO-TIERED CONSULTANT SELECTION	12-1
A. Overview	12-1
B. ODOT’s Process and Applicable Laws	12-2
1. Federal and State Law	12-2
2. ODOT’s Two-Tiered Selection Process for Flex Service Contracting	12-2
C. Consultant Selection Process for Non-Certified Local Agencies	12-3
1. Identify and Define the Project	12-3
2. Determine Consultant Need and Project Phases	12-3
3. Appoint Contract Administrator	12-3
4. Create Scope/Determine Deliverable and Timelines	12-4

5. Prepare Cost Estimate	12-4
6. Determine Two-Tired Consultant Selection Option	12-4
7. Determine Evaluation/Selection Criteria	12-5
8. Establish Selection Committee	12-5
9. Identify Disadvantaged Business Enterprises (DBE) Program and Goals	12-5
10. Consultant Negotiation Following Consultant Selection	12-5
D. Contract Administration	12-6
E. Contract Closure	12-6
13. UTILITY AND RAILROAD PROGRAMS	13-1
A. Overview	13-1
1. Utilities	13-1
2. Railroad Facilities	13-1
B. Utility Program	13-1
1. Relocation	13-1
2. Relocation Policy	13-2
C. Railroad Program	13-2
14. BRIDGE SELECTION, SCOPING AND DESIGN	14-1
A. Bridge Selection Process	14-1
1. Project Selection for Emergency Situations	14-1
B. Bridge Scoping	14-2
C. Bridge Funding	14-3
D. Bridge Design Standards	14-3
E. Type, Size and Location Report as Part of the Design Acceptance Package	14-3
1. General Procedures	14-3
2. Review of Materials Incorporated	14-4
3. Timing of Review Comments	14-4
4. Type, Size and Location Study for Major Structures	14-5
5. Value Engineering Study	14-5
F. Foundation Design	14-6
1. Foundation Investigation	14-6
2. Foundation Exploration	14-7
3. Foundation Report	14-7
4. ODOT Review Effort	14-8
G. Hydraulic Investigation Guidelines	14-8
1. Overall Hydraulic Design	14-8
2. Hydraulics Reports	14-8
3. ODOT Review Effort	14-9
H. Historic Bridge Coordination Procedures	14-10
1. Bridge Potentially Eligible as Historic	14-10
2. Design	14-11
I. Should a Bridge be Rehabilitated or Replaced	14-11
1. Comply with Minimum Standards	14-11

2. Rehabilitated Bridge Design	14-12
3. Bridge Replacement	14-12
4. Bridge Classed as Non-Deficient or Non-Functionally Obsolete	14-12
J. Approach Guard Rail and Bridge Rail	14-12
K. Local Agency Submittals	14-13
L. Appendix	14-14
15. ADVERTISING, BID AND AWARD PROCEDURES	15-1
A. Overview	15-1
B. Required Submittals and Procedures	15-1
C. Additional Resources	15-2
16. CONSTRUCTION AND CONTRACT ADMINISTRATION	16-1
A. Overview	16-1
B. Options for Construction Contract Administration	16-1
C. Progress Payments	16-2
D. Changes and Extra Work	16-3
E. Compliance with State and Federal Legal Requirements	16-4
1. State Requirements	16-4
2. Federal Requirements	16-4
F. Administrative Settlement Costs	16-4
G. Completion of Construction	16-5
1. Final Inspection	16-5
2. Final Project Documentation	16-5
H. Summary	16-6
17. PROJECT CLOSURE	17-1
A. Overview	17-1
B. Roles and Responsibilities	17-1
1. Local Agency Coordinates with ODOT	17-1
2. Local Agency	17-1
a. Final Reports	17-1
b. Final Inspection	17-2
3. ODOT	17-2
a. On-Site Construction Work	17-2
b. All Contract Work	17-2
c. Final Acceptance	17-3
C. Project Quality Assurance	17-3

SECTION C – Certified Local Agency

Chapter	Subject	Page No.
1.	INTRODUCTION	1-1
	A. Overview	1-1

	B. Local Agency Certification Program – Vision	1-1
	C. Local Agency Certification Program – Mission	1-1
	D. Federal-Aid Project Delivery Options	1-2
	1. Non-Certified Agency Project Delivery	1-2
	2. Certified Agency Project Delivery	1-2
	a. Conditional Certification	1-3
	b. Full Certification	1-3
	3. Partial Certification	1-3
	E. Benefits of Certification	1-3
	1. Local Agencies	1-3
	2. FHWA	1-4
	3. ODOT	1-4
2.	BECOMING CERTIFIED	2-1
	A. Overview	2-1
	B. Certification Acceptance Process	2-1
	1. Certification Acceptance Requirements	2-2
	2. Application for Certification Acceptance	2-3
	3. Certification Acceptance Compliance	2-3
	C. Non-Certified Local Agencies	2-4
3.	PROJECT PROSPECTUS	3-1
	A. Overview	3-1
	B. Procedure for Compiling the Project Application Package	3-1
	C. Additional Resources and Information	3-2
4.	AGREEMENTS	4-1
	A. Overview	4-1
	B. Certified Agency Master Agreement	4-2
	C. Certified Supplemental Project Agreements	4-2
	D. Amended Supplemental Project Agreement	4-3
	E. Processing Agreements with Certified Local Agencies	4-4
5.	PROGRESS BILLING (REIMBURSEMENT COSTS)	5-1
	A. Overview	5-1
	B. Progress Payments Procedures for Certified Agencies	5-1
	1. Local Agency Responsibilities	5-1
	2. ODOT’s Responsibilities	5-2
	C. Identifying Federal-Aid Participating and Nonparticipating	5-2
	1. Participating Costs Criteria	5-3
	2. Nonparticipating Costs Criteria	5-3
	3. Participating Functions	5-4
	a. Preliminary Engineering	5-4
	b. Acquisition of Right of Way	5-5
	c. Construction Engineering	5-6
	d. Highway Planning	5-6

e. Research and Development	5-6
f. Administrative Settlement Costs – Contract Claims	5-6
g. Miscellaneous Functions	5-7
h. Construction Costs for Other than Contractor Payments	5-7
4. Standards for Selected Items of Cost	5-7
a. Salaries and Wages	5-7
b. Travel and Transportation	5-7
c. Employee Leave and Holidays	5-8
d. Social Security, Retirement and Other Payroll Benefits	5-8
D. Utility Relocations, Adjustments and Reimbursement	5-8
E. Reimbursement for Railroad Work	5-8
F. Other Allowable Costs Subject to FHWA’s Approval	5-8
G. Other Unallowable Costs	5-9
1. Bad debts	5-9
2. Contingencies	5-9
3. Contributions and Donations	5-9
4. Entertainment	5-9
5. Fines and Penalties	5-9
6. Governor's Expenses	5-9
7. Interest and Other Financial Costs	5-9
8. Legislative Expenses	5-9
9. Under-recovery of Costs under Grant Agreements	5-9
H. Federal-Aid Reimbursement Process	5-9
5A. APPENDIX: DESK PROCEDURES	5.1-1
6. ENVIRONMENTAL PROCESS	6-1
A. Overview	6-1
7. RIGHT OF WAY PROCEDURES	7-1
A. Overview	7-1
B. Right of Way Acquisition Procedures	7-1
8. DBE/EEO/OJT	8-1
A. Overview	8-1
B. Requirements	8-1
9. GENERAL DESIGN REQUIREMENTS	9-1
A. Overview	9-1
B. Pavements	9-2
C. Value Engineering	9-2
D. New Construction/Reconstruction Projects (4-R)	9-2
1. Roadside Inventory	9-3
2. Pavement Type Determination	9-3
3. Structural Design	9-3
4. Roadway Geometrics	9-3

5. Construction Specifications	9-3
6. Traffic Control	9-3
7. Clear Zone	9-3
8. Geometric Cross-Sections	9-4
9. Vertical Clearance	9-4
10. Bridge Approach Railings	9-4
11. Bridge Railing	9-4
12. Illumination	9-4
13. Pedestrian Facilities	9-4
14. Bicycle Facilities	9-4
15. Sidewalks and Ramps	9-5
16. Drainage and Hydraulic Design	9-5
E. Resurfacing, Restoration and Rehabilitation (3-R) Projects	9-5
1. Roadside Inventory	9-5
2. Super Elevation	9-5
3. Pavement	9-5
4. Geometric Cross-Section	9-6
5. Alignment	9-6
6. Curvature	9-6
7. Grades	9-6
8. Clear Zone	9-6
F. Geometric Design of Very Low-Volume Local Roads (ADT < 400)	9-6
G. Deviations	9-7
10. DESIGN APPROVAL	10-1
A. Overview	10-1
B. Requirements for Design Approval	10-2
1. Traffic Data	10-2
2. Right of Way	10-2
3. Horizontal-Vertical Alignment	10-2
4. Roadway Section	10-2
5. Pavement Design Criteria	10-2
6. Cost Estimate	10-2
7. Environmental Considerations	10-3
8. Hearing Data	10-3
9. Permits	10-3
C. Bridge Design Approval	10-3
1. Policy	10-3
2. Submittal of Data	10-3
3. Bridges on State Right of Way	10-4
D. Additional Data Required for Special Projects	10-4
1. Traffic Signal Projects	10-4
2. Projects Involving State Routes	10-4
E. Design Approval Notices	10-4

11.	PLANS, SPECIFICATIONS AND ESTIMATES (PS&E)	11-1
	A. Overview	11-1
	B. Becoming Certified for PS&E	11-1
	C. Key PS&E Process Points	11-2
	1. Wage Rates	11-2
	2. Civil Rights Compliance	11-2
	3. Quality Assurance/Quality Control	11-4
	4. Professional, Technical and Expert Services Contracts	11-5
	5. Project Completeness Checklist	11-5
	6. Other Requirements	11-5
	a. FHWA Form 1273	11-5
	b. “Buy-America” Requirements	11-6
	c. Traffic Control Plans	11-6
	d. Sole Source Justification	11-6
	e. Patented and Proprietary Items	11-6
	f. Local Agency Supplied Materials	11-7
	g. Warranty/Guarantee	11-7
	D. Additional Resources	11-7
12.	CONSULTANT SELECTION	12-1
	A. Overview	12-1
	B. Becoming Certified for Consultant Selection	12-1
	1. Application Federal Laws	12-2
	a. Civil Rights Requirements	12-2
	b. Federal Lobbying Restrictions	12-2
	c. Conflicts	12-2
	C. Difference Between A&E Services and Non-A&E Personal Services	12-2
	D. A&E Services	12-3
	1. Identify and Define Project	12-4
	2. Determine Consultant Need and Project Phases	12-4
	3. Appoint Contract Administrator and Retain Records	12-4
	4. Create Scope/Determine Deliverable and Timelines	12-5
	5. Prepare Cost Estimate	12-5
	6. Formulate Selection Criteria	12-5
	7. Identify Disadvantaged Business Enterprises (DBE) Program and Goals	12-5
	8. Advertise and Solicit Bids for the RFP	12-6
	9. RFP Protest Procedures	12-7
	10. Consultant Selection Protest Procedures	12-7
	11. Closing the Solicitation Process	12-7
	12. Screening and Selection/Interviews	12-8
	13. Consultant Selection and Negotiation	12-9
	14. Awards	12-9
	15. Contract Administration	12-9
	E. Non- A&E Personal Services	12-10

1. Identify and Define Project	12-10
2. Determine Consultant Need and Project Phases	12-10
3. Appoint Contract Administrator and Retain Records	12-11
4. Create Scope/Determine Deliverable and Timelines	12-11
5. Prepare Cost Estimate	12-11
6. Formulate Selection Criteria	12-11
7. Identify Disadvantaged Business Enterprises (DBE) Program and Goals	12-12
8. Advertise and Solicit Bids for the RFP	12-12
9. RFP Protest Procedures	12-13
10. Consultant Selection Protest Procedures	12-13
11. Closing the Solicitation Process	12-14
12. Screening and Selection/Interviews	12-14
13. Consultant Selection and Negotiation	12-14
14. Awards	12-14
15. Amendments to the Contract	12-14
F. Contract Closure for A&E and Personal Services	12-15
12A. APPENDIX 1: ARCHITECTURAL AND ENGINEERING SERVICES	12.1-1
A. Examples of Architectural and Engineering (A&E) Services	12.1-1
B. Engineering Services	12.1-1
C. Examples of Engineering Services	12.1-2
D. Land Surveying Services	12.1-4
E. Examples of Land Surveying Services	12.1-5
F. Architecture Services	12.1-5
G. Examples of Architecture Services	12.1-5
12B. APPENDIX 2: NON-ARCHITECTURAL AND ENGINEERING PERSONAL SERVICES	12.2-1
A. Examples of Non-Architectural and Engineering (A&E) Services	12.2-1
13. UTILITY AND RAILROAD PROGRAMS	13-1
A. Overview	13-1
1. Utilities	13-1
2. Railroad Facilities	13-1
B. Utility Program	13-1
1. Relocation	13-1
2. Relocation Policy	13-2
C. Railroad Program	13-2
14. BRIDGE SELECTION, SCOPING AND DESIGN	14-1
A. Bridge Selection Process	14-1
B. Certified Agency Bridge Project Delivery	14-1
15. ADVERTISING, BID AND AWARD PROCEDURES	15-1
A. Overview	15-1

B. Becoming Certified for Advertising, Bid and Award	15-1
C. Roles and Responsibilities	15-2
1. Local Agency	15-2
a. Applicable Law	15-2
b. Standard Specifications	15-3
2. ODOT	15-3
D. Procedures	15-3
1. Approval to Advertise	15-3
2. Advertising for Federally Funded Non-NHS Projects	15-5
a. Requirements	15-5
b. Required in Bid Documents	15-9
c. Considerations	15-10
3. Prequalification (optional)	15-10
a. Prequalification Requirements	15-11
b. Prequalification Considerations	15-12
c. Prequalification Forms	15-12
4. Bonding	15-13
a. Bonding Requirements	15-13
b. Bonding Considerations	15-15
5. Requests from Bidders and Bidding Procedures	15-15
a. Requirements	15-15
b. Considerations	15-18
6. Bid Documents and Bid Opening	15-19
a. Requirements	15-19
b. Considerations	15-21
7. Bid Evaluation	15-21
a. Requirements	15-21
b. Considerations	15-25
8. Award of Contract	15-26
9. Execution of Contract	15-27
10. Submittal of Award Data	15-28
11. Record Retention	15-28
a. Requirements	15-28
b. Considerations	15-29
16. CONSTRUCTION AND CONTRACT ADMINISTRATION	16-1
A. Overview	16-1
B. Becoming Certified for Construction Administration	16-1
C. Local Agency Construction Contract Administration	16-2
1. Procedures	16-2
2. Approval Responsibilities	16-2
D. Key Process Points	16-2
1. Pre-Construction Conference	16-3
2. Labor Compliance	16-3
3. Project Inspection	16-4
4. Material Quality Plan	16-4

5. Extra/Changed Work: Contract Change Orders, Force Orders and Work by Public Forces	16-5
6. Contractor Progress Payments	16-6
7. Project Documentation and Long Term Retention of Documents	16-7
8. Contractor Disputes and Claims	16-8
9. Termination of Contract	16-9
10. Compliance with Federal Contract Provisions	16-9
11. Procedural Reviews	16-10
12. Project Data Reporting to ODOT	16-10
13. Indemnification	16-11
14. Final Project Acceptance, Project Closeout and Final Payment	16-11
17. PROJECT CLOSURE	17-1
A. Overview	17-1
B. Roles and Responsibilities	17-1
1. Project Closure Documents	17-1
2. Early Termination of Contract	17-2
3. Project Data Reporting to ODOT	17-2
4. Final Project Acceptance, Project Closeout and Final Payment	17-2
a. Certified Local Agency	17-2
1. Final Inspection	17-2
2. Final Project Documentation	17-2
3. Quality Control and Quality Assurance	17-3
4. As Constructed Plans	17-3
b. ODOT	17-3
1. Reimbursement for Final Payment	17-3
2. General Materials Certification Procedures	17-4

SECTION D

Chapter	Subject	Page No.
1.	ACRONYMS	1-1
2.	GLOSSARY	2-1